

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

REC'D 17 JAN 2005

PCT

WIPO

PCT

To:  
BRUCE E. PEACOCK  
WEGMAN, HESSLER & VANDERBURG  
6055 ROCKSIDE WOODS BOULEVARD  
SUITE 200  
CLEVELAND, OH 44131

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference <b>020357095P2P</b>		Date of mailing (day/month/year) <b>13 JAN 2005</b>	
International application No. <b>PCT/US04/09495</b>		FOR FURTHER ACTION See paragraph 2 below	
International filing date (day/month/year) <b>30 March 2004 (30.03.2004)</b>	Priority date (day/month/year) <b>18 December 2003 (18.12.2003)</b>		
International Patent Classification (IPC) or both national classification and IPC <b>IPC(7): F16B 5/12 and US Cl.: 403/289,328,329; 24/289,292,297; 411/508-510,913; 296/191,193.03</b>			
Applicant <b>GREEN TOKAI CO., LTD.</b>			

1. This opinion contains indications relating to the following items:

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input type="checkbox"/>            | Box No. II   | Priority   |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input checked="" type="checkbox"/> | Box No. VII  | Certain defects in the international application   |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application  |

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Ernesto Garcia Telephone No. 703-308-8606
--	--

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US04/09495

**Box No. I Basis of this opinion**

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing  
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format  
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/US04/09495

**Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims <u>10-18</u>	YES
	Claims <u>1-9</u>	NO
Inventive step (IS)	Claims <u>10-18</u>	YES
	Claims <u>1-9</u>	NO
Industrial applicability (IA)	Claims <u>1-18</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Please See Continuation Sheet

Claims 10-18 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest as follows:

regarding claims 10 and 15, the prior art of record does not disclose or suggest a combination or an automotive trim part comprising a clip house further comprising a recessed well adjacent an inclined mounting portion;  
regarding claims 11-14 and 18, these claims directly or indirectly depend from claim 10; and,  
regarding claims 16 and 17, these claims directly or indirectly depend from claim 15.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/09495

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Claims 1, 3, 5, 9 and 15-18 are objected to under PCT Rule 66.2(a)(iii) as containing the following defect(s) in the form or contents thereof:

Regarding claim 1, --portion-- should be inserted after "top" in line 6;

Regarding claim 3, the first occurrence of "said" in line 2 should be --a--;

Regarding claim 5, "area" in line 2 should be deleted to provide proper basis for "flanges" in claims 6 and 7.

Regarding claim 9, --portion-- should be inserted after "top" in line 8;

Regarding claim 15, "of the type" in line 1 needs to be deleted, and "or the like" in line 4 needs to be deleted;

Regarding claim 16, --a-- should be inserted after "in" in line 2; and,

Regarding claims 16-18, "Clip" in line 1 should be --The clip--.

The drawings are objected to under PCT Rule 66.2(a)(iii) as containing the following defect(s) in the form or content thereof:

The same features, when denoted by reference signs, shall, throughout the international application, be denoted by the same signs. Features 20-22 in Figures 5b are not the same features in Figure 5a.

Drawings shall be executed in durable, black, sufficiently dense and dark, uniformly thick and well-defined, lines and strokes without colorings. The dots through out the figures should be deleted.

The description is objected to as containing the following defect(s) under PCT Rule 66.2(a)(iii) in the form or contents thereof: it is unclear from the specification what is the flange area providing a narrowed portion (claim 4).

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/US04/09495

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

V. 2. Citations and Explanations:

Claims 1-3, 8 and 9 lack novelty under PCT Article 33(2) as being anticipated by Maki, 5,195,793 (see marked-up attachments below).

Regarding claim 1, Maki discloses, in Fig. 3, a clip comprising a base 132, a male member 131, raised surface portions 131a, a first attachment channel A8, a second attachment channel A9, and a common wall 133. The base 132 has a top portion A2 and a bottom portion A3. The male member 131 extends outwardly from the top portion A2. The raised surface portions 131a are formed on opposing sides A6 of the male member 131 with a gap A7 defined between the raised surface portions 131a and the top portion A2. The first attachment channel A8 and the second attachment channel A9 are formed in the base 132 and are in generally parallel relation to each other, and separated by the common wall 133 extending between the top portion A2 and the bottom portion A3. The first attachment channel A8 and the second attachment channel A9 have elongated openings A11 facing in opposing directions A13.

Regarding claim 2, the male member 131 comprises a longitudinal axis A14. The base 132 comprises a central axis A15. The male member 131 is eccentrically positioned relative to the central axis A15 on the base 132.

Regarding claim 3, the base 132 comprises a longitudinal extending axis A16 perpendicularly related to a central axis A15 of the base 132 and bisecting the base 132. The common wall 133 extends parallel to the longitudinal extending axis A16 and the common wall 133 is laterally spaced from the longitudinal extending axis A16.

Regarding claim 8, the raised surface portions 131a of the male member 131 present smoothed, radiused surfaces A17.

Regarding claim 9, Maki discloses, in Figs. 1, 3 and 5, a composition comprising a clip 13, and a clip house 15 attached to an automotive trim part 14 and comprising an inclined mounting portion 151c. The clip comprising a base 132, a male member 131, raised surface portions 131a, a first attachment channel A8, a second attachment channel A9, and a common wall 133. The base 132 has a top portion A2 and a bottom portion A3. The male member 131 extends outwardly from the top portion A2. The raised surface portions 131a are formed on opposing sides A6 of the male member 131 with a gap A7 defined between the raised surface portions 131a and the top portion A2. The first attachment channel A8 and the second attachment channel A9 are formed in the base 132 and are in generally parallel relation to each other, and separated by the common wall 133 extending between the top portion A2 and the bottom portion A3. The first attachment channel A8 and the second attachment channel A9 have elongated openings A11 facing in opposing directions A13. The first attachment channel A8 or the second attachment channel A9 slidably engages the inclined mounting portion 151c of the clip house 15 thereby securing the clip 13 to the clip house 15.

Claims 1 and 3-5 lack novelty under PCT Article 33(2) as being anticipated by Hingorani et al., US6,276,109 (see marked-up attachment below).

Regarding claim 1, Hingorani et al. disclose, in Figures 3 and 6, a clip comprising a base 66, a male member 70, raised surface portions 74, a first attachment channel A8, a second attachment channel A9, and a common wall A10. The base 66 has a top portion A2 and a bottom portion A3. The male member 70 extends outwardly from the top portion A2. The raised surface portions 74 are formed on opposing sides of the male member 70 with a gap A7 defined between the raised surface portions 74 and the top portion A2. The first

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US04/09495

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

attachment channel A8 and the second attachment channel A9 are formed in the base 66 and are in generally parallel relation to each other, and separated by the common wall A10 extending between the top portion A2 and the bottom portion A3. The first attachment channel A8 and the second attachment channel A9 have elongated openings 68 facing in opposing directions.

Regarding claim 3, the base 66 comprises a longitudinal extending axis A16 perpendicularly related to a central axis A15 of the base 66 and bisecting the base 66. The common wall A10 extends parallel to the longitudinal extending axis A16 and the common wall A10 is laterally spaced from the longitudinal extending axis A16.

Regarding claim 4, the clip further comprising a flanged area A18 providing a narrowed portion in the first attachment channel A8 or the second attachment channel A9.

Regarding claim 5, the first attachment channel A8 and the second attachment channel A9 each comprises a flanged area A18 therein, thereby narrowing a portion of each attachment channel.

Claims 1 and 3-7 lack novelty under PCT Article 33(2) as being anticipated by Cordola et al., US\$1,173,026 (see marked-up attachment below).

Regarding claim 1, Cordola disclose, in Figures 6, a clip comprising a base, a male member, raised surface portions, a first attachment channel, a second attachment channel, and a common wall. The base has a top portion and a bottom portion. The male member extends outwardly from the top portion. The raised surface portions are formed on opposing sides of the male member with a gap defined between the raised surface portions and the top portion. The first attachment channel and the second attachment channel are formed in the base and are in generally parallel relation to each other, and separated by the common wall extending between the top portion and the bottom portion. The first attachment channel and the second attachment channel have elongated openings facing in opposing directions.

Regarding claim 3, the base comprises a longitudinal extending axis perpendicularly related to a central axis of the base and bisecting the base. The common wall extends parallel to the longitudinal extending axis and the common wall is laterally spaced from the longitudinal extending axis.

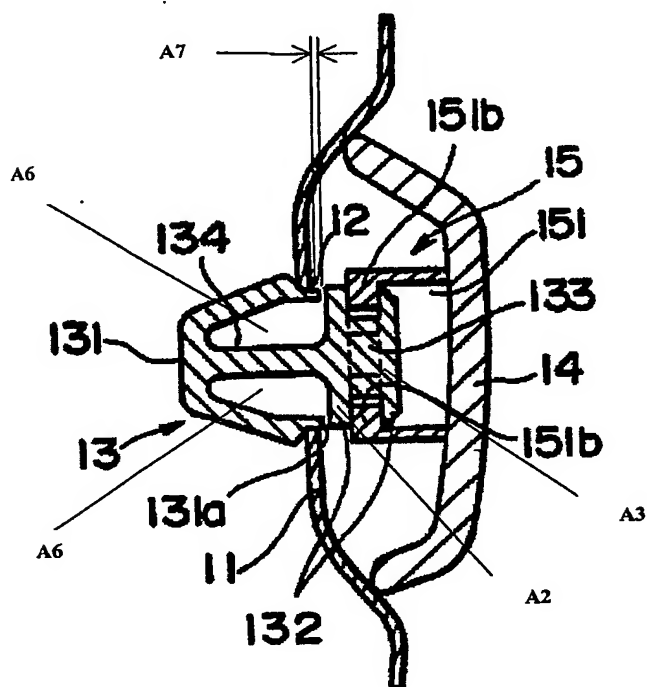
Regarding claim 5, the first attachment channel and the second attachment channel each comprises a flange 12B, 12D therein, thereby narrowing a portion of each of the channels.

Regarding claim 6, the flanges face opposing directions A50.

Regarding claim 7, the flanges face in a same direction A51.

**Supplemental Box**  
In case the space in any of the preceding boxes is not sufficient.

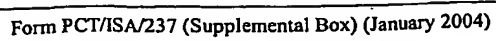
FIG. 3



International application No.  
PCT/US04/09495

**Supplemental Box**  
In case the space in any of the preceding boxes is not sufficient.

**FIG.1**



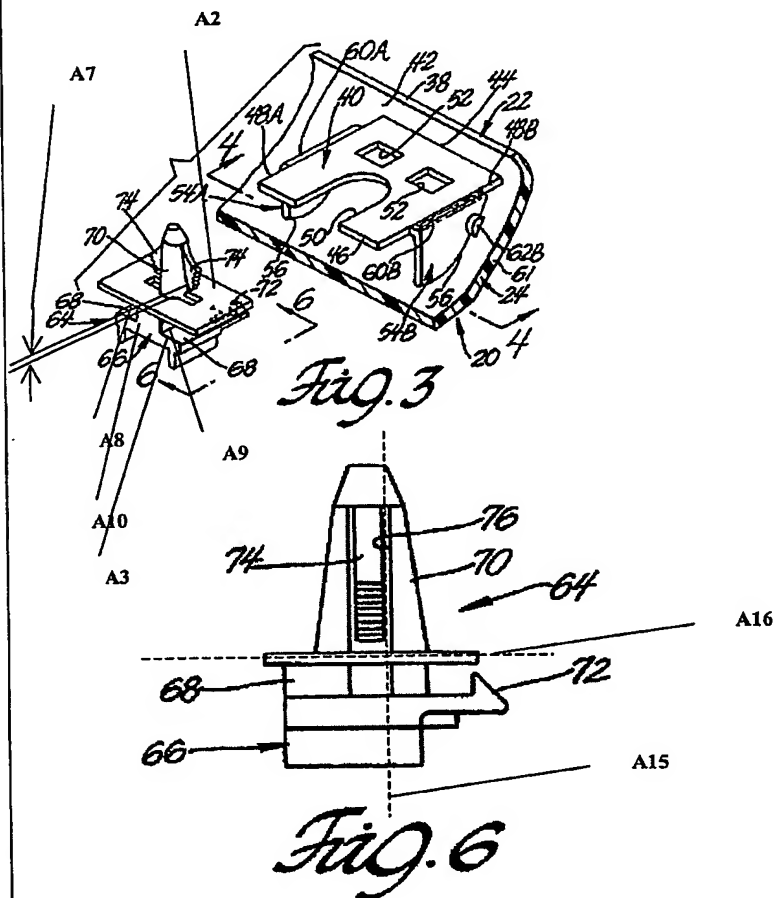


WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/US04/09495

Supplemental Box  
In case the space in any of the preceding boxes is not sufficient.

6,276,109 (Hingorani et al.)



International application No.  
PCT/US04/09495

**Supplemental Box**  
In case the space in any of the preceding boxes is not sufficient.

**Fig. 6**

**Fig.6**